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ABSTRACT

Designed to assist college trustees in the North Carolina community college system in carrying out their duties, this handbook contains information about the system, the functions and responsibilities of trustees, local and state budgets, and pertinent laws. First, introductory comments place the work of the trustee within the context of the entire constellation of legislators, policy makers, administrators, faculty, and students who make up the community college system. Next, a brief history of the system affirms the colleges' commitment to total education, discusses the system's open door philosophy and policies, and lists key administrators and significant community college studies. The next chapter outlines some of the major responsibilities of trusteeship, including: (1) the establishment of the mission and goals of the institution; (2) the appointment, evaluation, and termination of the president; (3) sound management; (4) approval of the budget and long-range plans; (5) fund raising; (6) the establishment of educational programs; (7) community college advocacy; (8) service as a court of appeal; and (9) awareness of relevant issues and policies. The handbook then reviews the responsibilities of the chairman of the board of trustees, college president, State Board of Community Colleges, State President and Department of Community Colleges, and Attorney General. After advocating on-going self-evaluation of performance, the handbook offers a sample job description for a college president and outlines procedures for presidential searches and evaluations. Comments on community college funding are followed by guidelines for working with legislators on educational issues. Appendixes include a code of ethics, pertinent laws, a self-evaluation checklist, a glossary of terms and acronyms, and a reading list. (AJL)

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Manual for Trustees of the North Carolina Community College System

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1987

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ABOUT THE AUTHOR

Helen B. Dowdy joined the Department of Community Colleges on July 1, 1963, the first day of its establishment, and has remained with the department throughout the history of the system. She has served as liaison with the North Carolina Association of Community College Trustees since its inception. She manages the departmental services to the State Board of Community Colleges as Assistant to the State President for Board Affairs.

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A salute goes to John H. Blackmon who wrote the first manual for North Carolina trustees and provided the inspiration for this publication.

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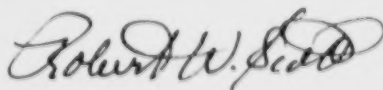
FOREWORD

Thomas Jefferson once noted that when an individual takes up a public trust, that person should consider him or herself public property. So it is with trusteeship. Few people are ever called upon to serve their communities in the role of trustee. It is a distinguished appointment; it is an honor and, yes, it is most certainly an obligation. For as a trustee in the North Carolina community college system, you are obligated to spend time, energy and effort to build and maintain a vital and necessary educational institution in your community. You represent the interests of your friends and neighbors, your local government, and the taxpayers of this state.

The North Carolina community college system was established to train local people for local jobs. Ours is a system with a rich tradition in technical and vocational education, college transfer programs, adult literacy training and other general education needs. We live in a time of great fluxation. Technology advances and we must advance with it. Conditions within and without our institutions are changing. Trustees must constantly balance the needs and wants of their students, their local and state government leaders, and their local business community. It is your role to pull all these elements together and to provide the leadership necessary to establish the mission of your institution, monitor its progress and protect its integrity.

This manual was developed to assist you in carrying out your duties. It is not intended to be your sole source of information. Chapter 115D and other laws enacted by the General Assembly; the North Carolina Administrative Code, which outlines State Board of Community Colleges' policy; and other governmental regulations should be used along with this manual. The trustee handbook contains information about the system, the duties and responsibilities of trustees, local and state budgets and pertinent laws.

We are pleased to provide you with this manual, and we trust that you will find it a valuable source of information as you perform your duties.



Robert W. Scott
State President

July 1, 1987

INTRODUCTION

Trustees of a community college, technical college or technical institute represent the entire community served by the institution. The trustees hold the community college in trust for the citizens of the community. The effectiveness of the institution is grounded in the effectiveness of individual members acting as a corporate body in official board session. They are special people and the school is fortunate that they were selected to provide leadership. Each one will carry out his duties based largely on his own valuable insights and experiences in education, business, and community life.

Board work is team work. No matter how much influence an individual member exerts, it is the board which bears the legal authority for governing the institution. Ultimate success depends on how well the board as a whole functions.

The board is also part of a much bigger team. It is just as vital to the success of the entire community college system that the board have a strong working relationship and unity of purpose with the entire constellation of law- and policy-makers, administrators, faculty, and students who make up the North Carolina community college system.

The community college system is made up of 58 community colleges, technical colleges and technical institutes whose primary mission is to provide the adults and out-of-school youth of North Carolina with comprehensive education.

Chapter 115D of the North Carolina General Statutes provides:

for the establishment, organization, and administration of a system of educational institutions throughout the state offering courses of instruction in one or more of the general areas of two-year college parallel, technical, vocational, and adult education programs....

The law further states that:

The major purpose of each and every institution operating under the provisions of this chapter shall be and shall continue to be the offering of vocational and technical education and training and of basic, high school level, academic education needed in order to profit from vocational and technical education, for students who are high school graduates or who are beyond the compulsory age limit of the public school system and who have left the public schools.

(Author's note: This sentence was added to the original statute by the 1969 General Assembly.)

The state of North Carolina has assigned governance of the 58 institutions in the North Carolina community college system and the North Carolina Vocational Textile School to the State Board of Community Colleges. The board has full authority to adopt all policies, regulations and standards it deems necessary for the operation of the system and to establish the Department of Community Colleges to administer these policies, regula-

tions and standards (referred to as rules in the North Carolina Administrative Code). The rules of the State Board of Community Colleges are contained in Title 23, Chapter 2, of the North Carolina Administrative Code. A complete set of Administrative Code Rules is available in the office of the president of each institution.

Each of the 58 institutions is established to serve all adults and out-of-school youth, age 16 and over. Its primary focus should be on comprehensive educational opportunities for those persons. Enrollment in the institutions has grown from 53,000 in 1963 to more than 650,000 in 1985-86. The system not only prepares people for careers but also provides the first two years of college work, helps recruit for new industry, combats illiteracy, and provides personal enrichment courses.

The system is designed to fill a broad educational need for adult education beyond high school. The system also serves citizens with preparation for transfer to the four-year colleges and universities and with other types of continuing and professional education. Filling this need requires open door admission of high school graduates and out-of-school youth who are 16 years old or older. The door is also open to the school dropout between 16 and 18 years old after a six-month waiting period or earlier upon approval of the local superintendent of schools.

At the heart of the system is the student. The trustees, as policy-makers on the local level, are vitally important in perceiving, communicating, and finding ways to meet the students' needs.

Each institution has a board of trustees comprised of at least 13 members. Institutions with satellite campuses in other counties may have up to two additional trustees from each county in which a satellite campus is located. The additional members are appointed by the county commissioners of the county in which a satellite is situated. Of the basic 13 trustees, one is the non-voting ex officio president of the student government association. Four are appointed by the Governor, four are appointed by the local boards of education, and four are appointed by the county commissioners. The appointments are for staggered four-year terms.

The board of trustees elects the institution president, its chief administrative officer. The board governs the institution according to standards, regulations, and policies set by the State Board of Community Colleges as well as its own standards, regulations, and policies.

The State Board of Community Colleges has the primary responsibility of establishing the policies and guidelines for the community college system. The State Board has 20 members, 18 of whom are appointed by the governor and General Assembly and two ex officio — the lieutenant governor and state treasurer. The system is primarily funded through state appropriations, with additional funding from local and federal governments, tuition, and other sources. The State Board of Community Colleges is responsible for submitting budget requests for the system to the General Assembly.

The Department of Community Colleges, headed by the state president, is the state agency which carries out the policies and directions of the State Board of Community Colleges and administers the day-to-day activities of the community college system.

History of the Community College System

OVERVIEW

A study concerning the need for community colleges in North Carolina was made in 1952 by Dr. Allan S. Hurlburt.¹ The study recommended the establishment of a community college system. A bill was introduced in the legislature in 1953; however, it was defeated.

In 1957, the state began experimenting with state-financed technical institutes of college level to provide technical training. These institutes were to be organized and operated in various regions of the state under the administration and direction of the School of Engineering of North Carolina State College. Funds were appropriated to establish one such institute in the West and one in the East. Only the one in the West, Gaston Technical Institute, was established. This approach proved impracticable and inadequate. The college-level objective aimed at too small a segment of the population needing adult education and occupational training.

In 1957, the State Board of Education proposed the development of a system of adult education and occupational training institutions designated "industrial education centers." The plan was to establish such centers in selected public high schools in various counties. The centers were to be financed primarily with state funds for operation and equipment and local funds for building and plant operation. Approximately 20 industrial education centers were established between 1957 and 1963. By the early 1960s, it became apparent that the state was developing two sets of institutions that originally had different objectives but that were becoming increasingly alike. One was the system of industrial education centers, under the State Board of Education, whose students needed general education courses in addition to their technical-vocational curricula. The other was the system of six existing community junior colleges under the State Board of Higher Education. The potential for duplication of programs under that arrangement was obvious and called for remedy.

In 1961, Governor Terry Sanford appointed the Governor's Commission on Education Beyond the High School (Irving E. Carlyle, chairman) to study methods for improving and expanding educational offerings at the post-high school level. This commission recommended that the two types of institutions be brought into one administrative organization under the State Board of Education and local boards of trustees.² In this way, all of the state's two-year higher educational needs (whether technical, vocational or academic) could be developed under one administration and one education system — the comprehensive community college system.

In the fall of 1961, the Governor's Commission on Education Beyond the High School and the Board of Higher Education requested Dr. C. Horace Hamilton, Reynolds Professor of Rural Sociology at North Carolina State

University, to make a study of enrollment projections for North Carolina colleges and universities. As part of this study, Dr. Hamilton was asked to determine the possible need for additional tax-supported institutions. This valuable study was completed in January 1962, and its findings greatly influenced the Carlyle Commission's recommendation to establish a comprehensive community college system. It was also used by the State Board of Education as one of the bases for approving new community colleges following the enactment of the 1963 Community College Act.³

On May 17, 1963, the North Carolina General Assembly enacted the Community Colleges Act of 1963, General Statutes 115A (later changed to 115D). Under this law, the State Board of Education created the Department of Community Colleges and brought under its supervision all of the 20 industrial education centers and three of the existing community colleges. (The other three community colleges became four-year institutions in 1963.) Between 1964 and 1968, all of the industrial education centers became technical institutes or comprehensive community colleges. Since 1963, other institutions have been added to the system, and several technical institutes have become community colleges with legislative sanction.

Legislation enacted in 1979 authorized a technical institute to change its title to "technical college" by action of its board of trustees and the board of county commissioners. Also in 1979, the legislature established a separate State Board of Community Colleges, which became the governing board of the system on January 1, 1981.

GUIDING PHILOSOPHY OF TOTAL EDUCATION

From its inception the community college system has operated under an open door policy based on the philosophy of total education for North Carolina citizens. The following statement was written by Dr. Dallas Herring, former chairman of the State Board of Education, and has been used as the guiding philosophy of the system through the years:

The only valid philosophy for North Carolina is the philosophy of total education: a belief in the incomparable worth of all human beings, whose claims upon the state are equal before the law and equal before the bar of public opinion, whose talents (however great or however limited or however different from the traditional) the state needs and must develop to the fullest possible degree.

This is why the doors to the institutions in North Carolina's system of community colleges must never be closed to anyone of suitable age who can learn what they teach. We must take the people where they are and carry them as far as they can go within the assigned function of the system. If they cannot read, then we will simply teach them to read and make them proud of their achievement. If they did not finish high school but have a mind to do it, then we will

offer them a high school education at a time and place convenient to them and at a price within their reach. If their talent is technical or vocational, then we will simply offer them instruction, whatever the field, however complex or however simple, that will provide them with the knowledge and the skill they can sell in the marketplaces of our state, and thereby contribute to its scientific and industrial growth. If their needs are in the great tradition of liberal education, then we will simply provide them the instruction, extending through two years of standard college work, which will enable them to go to a university or to a senior college, and on into life in numbers unheard of in North Carolina. If their needs are for cultural advancement, intellectual growth, or civic understanding, then we will simply make available to them the wisdom of the ages and the enlightenment of our times and help them on to maturity.

OPEN DOOR POLICY

The late Dr. I. E. Ready, first director (state president) of the Department of Community Colleges, explained the open door policy of the system:

Universal educational opportunity through the high school has for some time been considered a necessary service of government. Beyond the high school, however, educational opportunity has been selective. For the most part, only educational programs leading to a baccalaureate and advanced degree have been provided, and costs to the student as well as scores below the cutoff point on admissions tests have been roadblocks to many students.

By establishing the system of technical institutes and community colleges, the North Carolina General Assembly of 1963 has made it possible to extend universal educational opportunity beyond the high school. Any person who is 18 years old or older, whether a high school graduate or not, can find in one of these institutions an educational opportunity fitted to his ability and his needs.

That is what the open door admission policy means. For any applicant who seriously wants and needs more education, the door of the institution is open. After admission, he is tested and counseled, not in order to reject him if he does not meet a set of educational standards, but to help him get placed in the educational program for which his ability, his previous educational background, and his objectives in life best fit him.

This counseling service is the first of three essential parts of an open door institution. The student must be helped to find the educational program that is best for him. If he

is found ready, he can enter directly the program of his choice. If he is found not ready, his choice may be redirected to another program better fitted to his ability, educational background, and needs. If he has the potential ability but has certain educational deficiencies, he can be directed to a basic educational program in which he can make up his deficiencies. He can then enter the program of his choice.

The second essential part of an open door institution is a broad curriculum that offers many different types and levels of educational programs. It would be foolish and wasteful to open the door of all programs to all applicants. There must be a reasonable prospect of success for the student, because the graduation standards are set at whatever the next step required, whether it is transfer to a four-year college or university, or successful entrance into a job. Many doors within the institution opening into different vocational programs must therefore be provided, with the one door to basic elementary and secondary-level studies open to all who need a second chance in order to make up deficiencies.

The breadth of curriculum offerings extends from college transfer to basic adult education programs, and the only difference among different types of institutions is in the breadth of curriculum offerings. The community college is the most comprehensive and the technical institutes the more limited. In all other respects they are alike.

An important point is that each area of instruction is given equal status. The needs of the student are the only things that matter. The teaching of reading to an adult who cannot read is just as much "quality education" for him as the preparation of a student to succeed as a junior in a four-year college is "quality education" in the college transfer program.

This leads to the third essential feature of an open door institution — high quality instruction that has as its objective the highest possible educational development of the individual student. Teachers must be good teachers, well-educated themselves in the subjects they teach, skilled in the art of teaching, and deeply concerned that their students succeed in their educational tasks. Universal educational opportunity beyond the high school through the open door policy will mean little unless this goal is accomplished.

North Carolina has in the technical institutes and community colleges the institutions through which universal educational opportunity can be extended beyond the high school.

POLICY CONCEPT OF THE STATE BOARD OF COMMUNITY COLLEGES

Based on the open door philosophy, the State Board of Community Colleges adopted the following policy in North Carolina Administrative Codes 2B.0101 and 2B.0102:

POLICY CONCEPT

The fundamental concept of the community college system of North Carolina is based on the policy that all institutions shall have an "open door."

The institutions of the community college system shall, as needed, provide comprehensive learning opportunities for the people of their communities. This education takes place in the normal environment of people living in their communities and throughout the different ages and conditions of life of the people of the community.

The community college system in North Carolina shall serve primarily those persons beyond the normal high school age, 18 years old or older, whether they are high school graduates or not, by offering appropriate, economical, and convenient learning opportunities.

These opportunities range, depending on individual needs and previous educational achievement, from the first-grade level through the second year of college, including occupational and general adult training to all of suitable age who wish to learn and can profit from the instruction provided.

OBJECTIVES

The purpose of the community college system is to extend universal educational opportunities beyond the public school system. The objectives of this stated purpose are to provide:

- Expanded educational opportunities from first grade through high school and beyond high school for young people and adults who would not otherwise continue their education;
- Relatively inexpensive, nearby educational opportunities for high school graduates, non-high school graduates, and adults;
- College transfer programs, consisting of the first two years of regular college studies;
- Technical programs, preparing students for jobs in industry, agriculture, business, government, and service occupations;
- Vocational programs preparing students for jobs requiring varying levels of ability and skill;
- Occupational education programs for employed adults who need training or retraining, or who can profit from the program; and
- Courses that will meet the general adult and community service needs of the people of the community.

STATE BOARD CHAIRMEN AND STATE PRESIDENTS

Through the years, the community college system has been guided by several outstanding board chairmen and state presidents. They are:

State Board of Education

William Dallas Herring — 1963-77

James C. Green — 1977

H. David Bruton — 1977-80

State Board of Community Colleges

Carl Horn, Jr. — 1980-83

John A. Forlines, Jr. — 1983 to present

State Presidents

I. E. Ready — 1963-1970

Ben E. Fountain, Jr. — 1971-78

Charles R. Holloman — 1978-79

Larry J. Blake — 1979-83

Robert W. Scott — 1983 to present

SIGNIFICANT COMMUNITY COLLEGE STUDIES

A Conceptual Model for Planning in North Carolina Public Community Colleges and Technical Institutes

by Marcus Daniel Allred, Department of Education, Duke University. Dissertation submitted in partial fulfillment of the requirements for the degree of Doctor of Education in the Department of Education in the Graduate School of Duke University, 1977.

An Assessment of Goals and Major Policies of the North Carolina Community College System as a Basis for Long-Range Planning

by Terrence A. Tollefson. Unpublished Ph.D. dissertation, University of Michigan, 1975.

A Guide to the Further Development of Industrial Education Centers in North Carolina

A Report of A Study of the North Carolina Industrial Education Centers, directed by Lynn A. Emerson, Department of Curriculum Study and Research, State Board of Education, Raleigh, North Carolina, 1963.

Community College Study

by Allan S. Hurlburt. Issued by the State Superintendent of Public Instruction, Raleigh, North Carolina, September 22, 1952.

Community Colleges for North Carolina: A Study of Need, Location, and Service Areas

by C. Horace Hamilton for the North Carolina Board of Higher Education and the Governor's Commission on Education Beyond the High School, Raleigh, North Carolina, 1962.

Educational Leadership for the Future

Recommendations for the North Carolina Community College System.
Report of Advisory Committee, Gerald B. James, Chairman, Department
of Community Colleges, February 21, 1984.

**Planning for the North Carolina Community College System, Volumes
I, II, and III**

by Alvin M. Cruze, Research Triangle Institute, Raleigh, North Carolina,
June 1970.

**Report of the Community College and Technical Institute Planning
Commission**

by Terry Sanford, Chairman, Raleigh, North Carolina, May 1980.

**The North Carolina Community College Study: Mission, Enrollment
and Staffing Patterns, Funding Procedures, and Administration and
Governance**

by Junius A. Davis, Alvin M. Cruze, John E. S. Lawrence and Karla
Colegrove, Research Triangle Park, North Carolina, May 1986.

**The Report of The Governor's Commission on Education Beyond the
High School**

by Irving E. Carlyle, Chairman, Raleigh, North Carolina, 1962.

Total Education: The Duty of the State

Report of the Commission on Goals for The North Carolina Communi-
ty College System, by Edgar J. Boone, Chairman, Raleigh, North Carolina,
March 1977.

¹Allan S. Hurlburt, *Community College Study*, Raleigh, North Carolina, State Department
of Public Instruction, 1952.

²Irving E. Carlyle, *The Governor's Commission on Education Beyond the High School*, Raleigh,
North Carolina, 1962.

³C. Horace Hamilton, *Community Colleges for North Carolina. A Study of Need, Location,
and Service Areas*, for the North Carolina Board of Higher Education and the Governor's Com-
mission on Education Beyond High School, December, 1962.

The Trustee's Work

Although board members come from diverse backgrounds, they all share one common bond — a concern for the welfare of the institution they serve. It is a responsible job and requires a commitment of time and energy. This chapter is an attempt to identify some of the major responsibilities of trusteeship.

1. Establish the Mission and Goals of the Institution

Every institution was founded for a purpose — to provide courses of instruction in one or more of the general areas of two-year college parallel, technical, vocational, and adult education programs. This should be the basis of the mission statement adopted by the board. To this can be added the unique needs of the community that can be addressed by the institution. Goals of how to accomplish the mission should be established and reviewed periodically as needs of the community and students change. Trustees are the guardians of this mission, and they must make sure that the institution's programs conform to its purpose and that funds are expended accordingly.

2. Appoint, Evaluate, and Terminate the President

The president is the most significant employee of the board of trustees. This person is delegated the authority to manage and administer the institution in accordance with policies adopted by the board. There are many methods used in selecting and evaluating presidents. Although we have not attempted to describe any of these in this book, we have outlined in a separate chapter the requirements of the State Board of Community Colleges in these areas.

3. Ensure that the Institution Is Well Managed

Trustees should not become involved in the management of the institution but should be certain that it is well managed. They should ensure that the president employ a competent professional staff to assist him or her in operating the affairs of the school. The institution will be under constant scrutiny by faculty, students, staff, trustees, alumni, and the general public. An alert and conscientious board will quietly counsel with the president when problems arise. In many instances, this can prevent crises from occurring.

4. Approve the Budget

The president should keep the board fully informed of the financial situation at the institution. He should present the board with statements of income and proposed expenditures. To exercise financial responsibility, board members need to understand what these statements mean; therefore, they should be accurate and intelligible. When the board receives this information, it is obligated to make whatever decisions are necessary to meet the financial obligations of

the institution. This is an obligation of all trustees. The newer and less experienced ones may defer to the judgment of the more experienced trustees, but they may not relinquish their responsibility. They share equally for the financial health of the institution.

5. Raise Money

It is more pleasant to add services than to take them away. It is, therefore, necessary that the board of trustees understand their responsibility to increase the flow of money from private gifts and public appropriations. A sound fund-raising plan must be established and then each trustee must participate. Trustees should help by making contributions and by asking others to give. They also will need to be in close contact with their state and federal senators and representatives when they are considering budget requests. Trustees, individually and collectively, can be very influential people if they carefully organize their activities to assist in this endeavor.

6. Obtain Adequate Physical Facilities

Land and buildings are needed by every institution. A master plan should be developed consistent with the educational goals and programs of the institution. While the board does not need to be involved with the details of construction projects, it must determine what land should be purchased, select the architect to design the buildings, and provide adequate resources for the maintenance of the facilities after they have been purchased or constructed.

7. Establish Educational Programs

All educational programs established by the trustees should be in keeping with the mission of the institution. Trustees should monitor their success. This can best be done by asking questions. Are they serving the needs of the community in ways that will ensure support? Are there any programs that need to be added or phased out? What kind of students are being recruited? How do we compare with other institutions that offer these courses? In times of retrenchment, what programs should be eliminated and what others retained? Examples of warning signals to look for are a drop in enrollment or a decline in the success of students obtaining employment or transferring to senior institutions.

A couple of cautions should be mentioned. Trustees should approve educational policy; they should not become involved in implementing it. While they make the final decision, they should rely heavily on the recommendations of the president and faculty, as their jobs center on the problems of education in general and their institution in particular.

8. Approve Long-Range Plans

Trustees should establish long-range plans. North Carolina Administrative Code Rule 2B.0205 states that "each member institution of the community college system shall operate in accordance with a long-range plan. As a minimum, the plan shall address program

and facility needs and shall be submitted to the department in accordance with its procedures. The plan should be reviewed periodically for the purpose of making revisions to assure its continued validity." The plans should be comprehensive, thorough and realistic. Although the final approval of the plans rests with the trustees, the president should be responsible for preparing the plan for the board of trustees.

9. Public Relations

Trustees are the most powerful advocates the institution has. They are leaders in the community and are in a position to give and receive information about the institution. The citizens in the community are eager to know how they can benefit from the services of the institution. Trustees can interpret these services to them and bring to the president their needs and concerns.

10. Serve as Court of Appeal

Trustees have final legal authority. Therefore, no one other than the courts or the legislature can challenge their decisions. The board should adopt policies on personnel appointment, promotion, leaves of absence, and codes setting forth student rights, privileges, and obligations. These policies should be clearly published and disseminated and include a provision for due process. Once this is done, trustees should not become involved in internal decisions and disputes until an appeal is made to the board or a case is filed in court. When this occurs, the board must be sure all proper procedures have been followed. Then the board must decide the issue or share in the institution's defense. For this and other reasons, the board should retain legal counsel.

11. To Be Informed

First, trustees need to understand how a public community college, technical college or technical institute operates. Educational institutions are not run like businesses, as new trustees soon discover. Second, trustees need to know as much as possible about their own institution — its history, mission and goals, programs, finances, physical assets, sources of students, major problems, and future prospects. The president will provide trustees with this information. Third, trustees need to know the issues facing community and technical college education in general, particularly those that will affect their institution. They can get this from reviewing national and state publications and attending regional, state and national meetings.

The Trustee's Working Relationships

Trustees must possess a genuine desire to provide public service to others and commit themselves to carrying out the legal, ethical and moral obligations of the job. It will take many hours each year to serve the educational and social needs of the board's constituents. If, however, the members believe that by serving others they will obtain greater fulfillment in life, they can expect to receive rewards that cannot be measured in dollars and cents.

Specific expectations of all trustees include:

- Representing a broad cross section of the community;
- Representing the institution, its aspirations, its students, and the taxpayers;
- Speaking for the board only when it has been delegated to the trustee to do so;
- Being a liaison between the institution and the community;
- Informing the community of the financial needs of the institution and supporting all efforts for sound financial backing;
- Attending board meetings regularly and promptly;
- Reviewing all materials sent out in advance of the meetings in order to make intelligent decisions;
- Being active and supportive of political activity at the local, state, and national level concerning laws and funding activities of community college system institutions; and
- Being willing to serve on committees.

CHAIRMAN OF THE BOARD

Although the expectations of a chairman vary from board to board, certain duties are common to all. Ideally, the chairman will have had several years' experience on the board prior to assuming the position. This person should have proven leadership ability. This is exhibited by a successful career and knowing how to work with people, how to solve problems, and how to delegate responsibility and authority. The chairman should be able to preside at meetings and should have the time available to do an effective job.

Specific duties include:

- Presiding at all meetings;
- Appointing committees;
- Facilitating discussion and decision making;
- Working closely with the president in setting the agenda for meetings;
- Acting as liaison with the president;

- Serving as spokesman for the board;
- Serving as representative of the board;
- Consulting with other trustees who are not fulfilling their responsibilities, or who are violating the bylaws, policies, and practices;
- Initiating periodic evaluation of the president and the board; and
- Providing counsel and consultation to the president.

PRESIDENT

The president, the chief administrator of the institution, is employed by the board of trustees and serves either on contract or at the pleasure of the board. All business of the institution should be conducted between the board and the president. There should never be more than one chief executive directly responsible to the board. If the president is to function as a competent leader of the institution, a mutual, friendly president-trustee relationship must exist. While there should be a general understanding that the board will accept advice from all sources, this advice should be communicated through the president.

*"That the president is virtually the sole or at least the responsible means of communication between the board and the rest of the institution is administratively sound, if for no other reason than that any other system is worse ... For the board to give subordinate administrative officers independent access to it or to seek information except through the president are sure ways to undermine the administrative authority of the president; and, ultimately, the board's confidence in him. Nothing will make an institution quiver to its foundations more quickly than evidence or rumor that the board relies more confidently upon someone else than it relies upon the president."*¹

The president's educational leadership provides direction for all elements of the institution — the staff, the faculty, and the trustees. As a professional administrator with special education and experience, the president is responsible for bringing into focus the long-term, overall vision of the institution and the community college system.

ADMINISTRATIVE STAFF, FACULTY, AND STUDENTS

The administrative staff and faculty of the institution are directly responsible to the president and should conduct their business with the board through the president. Any attempts to circumvent the proper chain of command will weaken the institution and create division. The most important service the staff and faculty can provide to the board is that of understanding and supporting the role of the institution. A fundamental responsibility of the board is to provide the staff and faculty with adequate policies,

rules, and regulations for the efficient and effective operation of the institution. Trustees, administrative staff, and faculty relationships will then be strengthened by the president if he provides a satisfactory channel of communication to the trustees.

The education of the students is the sole purpose for the existence of the institutions. Their needs must be the basis for all decisions. Trustees should adopt student personnel policies that provide unity of student personnel administration, support for the purposes and programs, clear admission requirements, sound record keeping, and a strong guidance and counseling program consistent with the open door policy. The trustee-student relationship is very important. In order to develop academic excellence, the trustees must understand, appreciate, and maintain close communication with the students.

STATE BOARD OF COMMUNITY COLLEGES

The General Assembly of the state of North Carolina has assigned the institutions in the North Carolina community college system to the State Board of Community Colleges with full authority to adopt all policies, regulations, and standards it deems necessary for the operation of the system and to establish the Department of Community Colleges to administer them (G. S. 115D-5). At the same time, the law requires that a board of trustees be appointed to be the institution's governing board (G. S. 115D-12).

The legislative establishment of the State Board of Community Colleges and the institutional boards makes it necessary for them to work together. While this happens in various ways, one primary avenue of communication is through the statewide organizations of presidents and trustees. A representative of each of the organizations attends the regular monthly meetings of the State Board of Community Colleges. The state president attends and participates in the regular meetings of each of the associations. Members of the State Board of Community Colleges are invited and encouraged to attend these meetings. In addition, frequent informal discussions are held with presidents about ideas, problems, proposed policy changes, etc.

The State Board of Community Colleges adopts budget priority needs for the system and, through the state president, presents these needs to each session of the General Assembly. The priorities are developed in consultation with institutional presidents, trustees, and departmental personnel.

STATE PRESIDENT AND DEPARTMENT OF COMMUNITY COLLEGES

Chapter 115D of the General Statutes requires the State Board of Community Colleges to establish a Department of Community Colleges for state-level administration of the policies, regulations, and standards it adopts for the operation of the community college system. The state president is appointed by the board as its chief administrative officer to assist in develop-

ing and formulating policies and programs for the system as well as the method of distribution of funds. These, along with his many other responsibilities, make it necessary to maintain close coordination with trustees and presidents in order to develop proposals that reflect the needs of the institutions. The state president is the key link between the State Board of Community Colleges and the local institutions. All formal communications with the state board should be made through the state president's office.

ATTORNEY GENERAL'S OFFICE

The attorney general serves as legal counsel for the state and agencies of the state. His office, for example, represents and advises the University of North Carolina, the State Board of Community Colleges, and the State Board of Education. The attorney general does not, however, serve as legal counsel for local governmental agencies, including community colleges and public school systems. These local agencies should be represented by private attorneys.

While the attorney general does not serve as legal counsel for local agencies, his office does provide some legal services for community and technical colleges and technical institutes. These include (1) issuing formal and informal opinions to trustees, administrators, and attorneys about specific questions of law; (2) discussing legal issues with trustees, administrators, and attorneys by telephone; and (3) consulting with attorneys about litigation.

Requests for legal services from the attorney general's office should be addressed to Edwin M. Speas, Jr., Special Deputy Attorney General, Post Office Box 629, Justice Building, Raleigh, North Carolina 27602, (919) 733-7387.

Harold W. Stoke, *The American College President*, New York: Harper Brothers, Publishers, 1959 (as cited by John H. Blackmon in *Trustee Responsibilities for Community Colleges & Technical Institutes of the North Carolina Community College System*, August, 1976).

The Board of Trustees and Its Own Performance — Self-Evaluation

Much attention has been given to trusteeship in recent years. There are a number of publications by nationally known authorities that provide insight into the nature of the responsibilities. One phase of trusteeship generally accepted as valuable but often neglected is that of self-evaluation. It is a sensitive point. If the board itself does not take the initiative to do this, who can? The president certainly cannot. The faculty and students may want to, but how? If an outsider suggests it, he is considered a troublemaker. And the board itself often does not realize the benefits that could be derived from such an exercise. In addition to examining its own performance, it is a good time to review the decisions the board has made during the year and the effectiveness of these decisions.

The process of accreditation by the Southern Association of Colleges and Schools provides for a self-study of the institution. With the growing trend toward more formalized evaluation of presidents, it seems natural that another important component in the assessment process is trustee self-evaluation. This concept is beginning to take hold. Procedures and guidelines have been developed and are available in printed form. Consultants are available to assist in the process. As a guide, a sample evaluation form is included in the appendices. The board may want to develop its own format to conduct its own self-evaluation.

The President — Job Description, Search and Evaluation

The job of the president is complex and demanding. A description of the specific duties varies from institution to institution; however, there are many general responsibilities that can be used to form the basic outline of a job description. An illustration of a job description is shown below.

JOB DESCRIPTION

The president should have full authority and responsibility for the development of the institution under the policies and regulations of the board of trustees and of the State Board of Community Colleges.

Duties should include:

- Responsibility for all administrative and managerial aspects of the institution;
- Responsibility for sound fiscal management. Advising the board of financial and budgetary needs of the institution and recommending the items to be included in the current expense budget and the capital outlay budget;
- Responsibility for recommending the employment and dismissal of all employees;
- Recommending policies to the board when deemed in the best interest of the institution and/or when requested to do so by the board;
- Taking the initiative in shaping and maintaining the educational policies and the character of the institution and recommending changes in the programs and services provided by the institution;
- Recommending curriculum programs and other educational programs deemed in the best interest of the citizens of the area and the state of North Carolina. These programs should be educationally and financially feasible and should not conflict with state law or with standards of the State Board of Community Colleges;
- Appointing lay advisory committees as needed;
- Consulting with the board chairman on agenda for the meetings of board;
- Receiving and accepting for the board private donations, gifts, bequests, and the like; applying them or investing any of them and applying the proceeds for purposes and upon terms the donor may prescribe consistent with statutory provisions and regulations of the

State Board of Community Colleges; and maintaining proper records of all such transactions as information for the board on the receipt and disposition of all such gifts:

- Signing all degrees, diplomas and certificates awarded by the institution and securing the signature of the chairman of the board of trustees on these documents;
- Establishing such rules and procedures for the institution as may be necessary to implement the policies and regulations of the board of trustees and the State Board of Community Colleges and providing each trustee with copies of all such rules and procedures in the form of a manual; and
- Discharging any other functions the board delegates.

PRESIDENTIAL SEARCH

A successful search is contingent upon careful planning, well-organized procedures, and a substantial amount of time and work on the part of those assigned to the task. A decade or so ago, many boards would select a president in a informal manner. This is no longer considered to be the most desirable approach for many reasons. One of the most important reasons is to ensure equal employment opportunity and to comply with affirmative action policies. Another is to allow those associated with the institution an opportunity to express opinions about the kind of talent needed at that particular stage in its life.

There is no best method of searching for a president. The best procedure for one institution may not be the best for another. One of the first decisions a board must make is whether to conduct its own search or to employ the services of consultants.

According to North Carolina General Statute 115D-20(1), the local board's election of a president is subject to the approval of the State Board of Community Colleges. The salary paid from state funds is set by the state president based upon policies established by the State Board of Community Colleges. To ensure that the search process meets all state level requirements, the board chairman must notify the state president as soon as a resignation becomes known and arrange an appointment to discuss procedures for appointing a successor.

All official communications should be from the chairman of the board of trustees or the chairman of the search committee to either the state president of the Department of Community Colleges or the chairman of the State Board of Community Colleges. Upon request, the state president or his designee will provide information about available publications and professional consultant services.

The state department and the community college system have entered into an agreement with the North Carolina Office for Civil Rights regarding hiring practices. To ensure compliance with this agreement, the following

steps should be taken when a vacancy occurs in the presidency:

1. The chairman of the board should notify the state president as soon as it is known that a vacancy will occur and when it will occur.
2. The chairman of the board and/or chairman of the search committee should meet with the state president or his designee prior to initiation of the search process to review legal and State Board of Community Colleges requirements.
3. If it is necessary to appoint an acting president, the trustees should select the person and notify the state president in writing with a request that he secure approval of the State Board of Community Colleges. Biographical information of the person should accompany the request.
4. The chairman of the search committee should send a **Position Vacancy Announcement** on the presidential vacancy to the state president's office. It should include the (1) position title, (2) salary range, (3) minimum qualifications and duties, (4) deadline for receipt of applications, (5) proposed hiring date, and (6) procedures for recruitment, including names of various media utilized, and institutions and other groups to which the announcements will be distributed. The Department of Community Colleges will automatically send a vacancy notice to all community colleges, technical colleges or institutes, local education agencies (public schools), predominantly black institutions, university system institutions, the Employment Security Commission, human relations councils, black organizations, and, upon request, the general public (both state and national).

The vacancy announcement should include the name of the search committee chairman. The state president will provide the committee with copies of available applications from potential black candidates who meet minimum qualifications for the position.

5. When a president is selected, the trustee chairman should send a letter indicating the name, race/sex, and brief rationale for the selection to the state president. To determine the state salary for the candidate, a resume should be enclosed. The resume must include all education and experience that will affect the salary (see Administrative Procedures Act Rule 2D.0101(e)). Written notification of eligible salary from state funds will be sent to the trustee chairman. All parties should agree on the established starting salary prior to State Board of Community Colleges consideration of the proposed president.
6. Following confirmation of the salary, the state president will present the name of the person selected by the trustees to the State Board of Community Colleges for action.
7. The state president will notify the trustee chairman in writing of the official action taken by the State Board of Community Colleges.

PRESIDENTIAL EVALUATION

"College and university presidents live in the public domain. No matter what the size or complexity or status, public or private, of the institution, the president's decisions (or indecisions) affect its well-being and the lives of those who make up the educational community. Those decisions are under continuous scrutiny and are met with approval or disapproval, often with both and rarely with indifference. Faculty, students, trustees, staff, alumni, donors, state education officers, legislators, church officials, taxpayers and local citizens have always passed judgment on the president's personality, attitudes, decisions and performance, and they always will."

Thus states John W. Nason on presidential evaluation. Dr. Nason further states in his book that in recent years there has been a trend to more formalized evaluation of presidents. The reason for this is not simple, but rather stems from the phenomenal changes that have occurred in postsecondary education.

North Carolina was among the pioneers in the community college movement that swept the country in the early 1960's. Presidents were lured from other educational agencies and the private sector. Universities developed graduate programs to educate potential presidents. Enrollments in these new institutions soared. Technology advanced at a greater pace than ever in history. Campus life was different from the traditional and comfortable patterns. Legislative appropriations were ever increasing. As the institutions reached the age of maturity, the trustees began to experience the need for critical examination of each institution and those responsible for its educational programs and governance.

The State Board of Community Colleges has adopted the following procedure for evaluation of institutional presidents.

PURPOSE:

Presidential evaluation is designed to improve the quality of the community college system, and the process of evaluation is intended to stimulate the leadership and productivity of the president:

"The purpose of the evaluation is to enable the (local) board to assess the performance of the president so as to:

- (1) close the gap between presidential authority and accountability, ...*
- (2) ensure that the board and the president concur on mutually agreed-upon goals toward which the college is moving, ...*
- (3) Identify strengths and weaknesses of the president and the college, ...*

(4) *define ... the scope and role of the office and the president's performance in it.*

*This evaluation will hopefully enhance both trustee and presidential comprehension and service."*²

PROCEDURE:

The local board of trustees will conduct an annual evaluation of its president. The chairperson of the local board of trustees will notify, in writing, the chairperson of the State Board of Community Colleges prior to June 30 of each year that such evaluation has been completed. The evaluation process should be:

1. General Administration — Topics in this section may include: management techniques and style; routine administration; day-to-day operations; institutional leadership; motivational skills; long range planning; institutional goal establishment; and the ability to delegate, to distinguish between policy and administration, and to implement and interpret board policy.
2. Relationships — Maintaining good communications internally ensures a wholesome institutional climate, and maintaining them externally is essential to public support which ensures sufficient financial resources. Internal relationships may include those with trustees, students, graduates, faculty, and staff; and external relationships may include those with the general community, business and industry, government (county, state, federal), State Board, other educational groups, and media.
3. Personal Attributes — These may include: communications skills; people-oriented skills; moral character; and personal characteristics such as fairness, tactfulness, resourcefulness, reliability, professionalism, creativity, innovativeness, even temperament, good judgment, and the ability to sell the institution to the community.
4. Personnel Administration — Areas may include the president's ability to: recommend (select) qualified individuals, follow personnel policies and procedures, evaluate staff performance, provide opportunities for staff development and upgrading, and accessibility to staff.
5. Fiscal and Facilities Administration — Topics may include: campus maintenance, budget development process, budget control, resource development program, foundations, facilities master plan, and an institutional budget that reflects the goals and objectives of the institution.
6. Academic Administration — Topics may include: educational programs that are relevant to community, student, and business and industry needs; quality of faculty; quality of teaching; quality of graduates and completers; program quality and efficiency evaluation; and development and maintenance of an educational long-range plan.

¹John W. Nason, *Presidential Assessment* (Washington: Association of Governing Boards, 1984).

²*Ibid*

Financing the Community College System

By law, the State Board of Community Colleges is responsible for providing funds to meet the financial needs of the institutions in accordance with the policies and regulations of the board. The State Board has delegated authority to the local trustees to disburse the funds within these policies and regulations.

Sources of funding include state, federal and local governments as well as tuition.

State funds may be used by community college system institutions for current operating expenses, equipment, library books, acquisition of land and capital construction.

Local funds must be used for operating and maintaining the plant as well as to supplement any state budget item.

It is the intent of the community college system to minimize the out-of-pocket expense to students who can benefit from the educational services that it provides. For that reason, tuition is kept as low as possible. In addition, state and federal aid is provided by grants, loans, and scholarships. Many private companies have established scholarship funds at the local and state level.

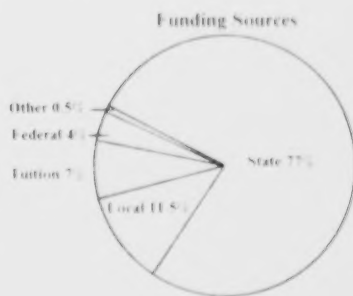
The distribution of funding is generally as follows:

These funds are deposited into the State Treasury. The largest portion is allocated to the 58 institutions based on a formula adopted by the State Board of Community Colleges. This formula is stated in Section 2D.0300 of the North Carolina Administrative Code (commonly referred to as APA). Other funds are appropriated by the legislature and federal government for special purposes.

The State Board allocates all of the funds to the boards of trustees of the local institutions. The local boards are responsible for using these funds in accordance with State Board policies as well as state and federal laws and regulations.

About once a year, the Department of Community Colleges audits the enrollment records of the institutions, and the State Auditor audits their financial records.

North Carolina's fiscal year runs from July 1 to June 30. Unless otherwise specified, all funds not expended during that period revert to the general treasury and are available to the legislature for reappropriation.



Working With Legislators

The North Carolina legislature is the source of nearly 80% of the institution's revenue. Legislators possess the power to control the financial future of the institution. They must be informed of the services it provides the citizens (their constituents) and what it needs to continue as well as improve those services. Trustees should know about and recognize the legislators efforts on their behalf.

The major portion of General Assembly funds are appropriated to the State Board of Community Colleges to be allocated to the institutions on a fair and equitable basis. In recent years, funds have been allocated to individual institutions either through special bills or special provisions in the Appropriations Act. These, too, flow through the State Board.

The process for requesting funds is long and complicated. In North Carolina the development of a biennial budget request for the community college system begins at least two years in advance. It goes through several stages before reaching the General Assembly and may be modified at any stage before final approval is given by the State Board of Community Colleges.

DEVELOPMENT OF THE BUDGET REQUEST

There are two types of budget appropriations made by the General Assembly — Continuation Budget and Expansion Budget. The Continuation Budget is developed first and is based on the amount that is needed to continue the services currently being provided. The Expansion Budget is developed next and is a projection of additional funds that are needed to provide additional services and to construct new buildings. Both budgets are developed by the Department of Community Colleges in cooperation with the presidents and trustees.

The stages in the budgetary process are generally as follows: The departmental staff solicits information from the presidents and trustees about the projected needs of their institutions and the system as a whole. A proposed budget is then developed. The proposed budget is then sent to the presidents and trustees to rank the budget items in priority order. The responses are tabulated and a budget is then prepared to submit to the State Board of Community Colleges for approval. Following deliberation and approval by the State Board of Community Colleges, the budget is then submitted to the Advisory Budget Commission, the State Budget Office, and ultimately to the General Assembly.

After the legislature convenes, the community college system portion of the State Budget is referred to Senate and House Appropriations Committees where it receives close scrutiny and is often altered before being considered by the full legislative body.

SUPPORT FOR THE SYSTEM'S BUDGET PROPOSAL

It is important that trustees support the system-wide budget request. When the General Assembly receives the official request from the State Board, it

has been through a rigorous process and reflects the needs of the system. Trustees and presidents, as well as the State Board of Community Colleges and the State President, can help sell the budget request to the legislators. A united effort can have a tremendous impact.

WORKING WITH INDIVIDUAL LEGISLATORS

There are some key points in organizing an effective legislative program.

1. Designate a person/persons to work with each legislator. This person should be a voter in the district of that legislator (if possible), be acquainted with the legislator, be informed, and operate with diplomacy.
2. Get to know the legislators and become familiar with their backgrounds. Find out what committee(s) they serve on, if they are leaders, have any pet projects or peeves, and if there is any information that will help in cultivating their confidence.
3. Develop an ongoing working relationship. Invite them to important events of the institution — board meetings, faculty orientations, graduations, and social events. Ask them to be guest lecturers. They are politicians who are interested in their constituents. If trustees help them achieve their goals while the the board is achieving its goals, everyone will win.
4. Let them decide how they will help the trustee. A sure way to lose support is to tell legislators how to do their jobs or to insist that the board's project be given priority over another one. Legislators want to make that decision for themselves.

HOW TO WRITE A LEGISLATOR

A board member will want to express opinions to elected representatives on major issues as they develop. Legislators want the help, guidance, ideas, praise and criticism of their constituents. The best contact, of course, is made face-to-face, but that often is impossible. Here are some tips on writing a member of congress or state senator or representative.

Write a personal letter and sign it. Form letters are not effective. Limit the letter to one issue, preferably identified by the bill number or popular name. Include reasons for making the request. Be courteous. Send the letter when it will count the most. A letter sent too early is as ineffective as one that is sent too late; both lose their impact.

Know which committees the legislator serves on. Committee hearings are held before the measure reaches the floor for action which gives legislators more thorough knowledge, and thus, more influence on the subject. This is the best time for trustees to voice their ideas or concerns about a particular bill.

Don't write more than once or twice on the same subject. Get others to add their voices.

Be sure to express appreciation for work well done, a good speech or favorable vote, or fine leadership in committee or on the floor. Politicians are human, too.

HOW TO ADDRESS A LEGISLATOR

Inside and Envelope Address

Salutation

Closing

UNITED STATES SENATOR

The Honorable John Doe

United States Senate

Senate Office Building

Washington, DC 20510

Dear Senator Doe:

Sincerely yours,

UNITED STATES

REPRESENTATIVE

The Honorable Jane Doe

House of Representatives

House Office Building

Washington, DC 20515

Dear Representative Doe:

Sincerely yours,

STATE SENATOR

The Honorable John Doe

State Senate

Legislative Building

Raleigh, NC 27611

Dear Senator Doe:

Sincerely yours,

STATE REPRESENTATIVE

The Honorable Jane Doe

House of Representatives

Legislative Building

Raleigh, NC 27611

Dear Representative Doe:

Sincerely yours,

Appendices

APPENDIX A

CODE OF ETHICS FOR COMMUNITY COLLEGE TRUSTEES

The following is a suggested Code of Ethics for any trustee.

1. To become knowledgeable so that I can execute my duties and carry out my responsibilities in a creditable manner.
2. To cooperate with my fellow board members and respect their differences of opinion.
3. To vote my honest conviction on all issues based on facts and concern for all persons affected rather than on personal bias or political or other outside pressure.
4. To support all policy votes of the board regardless of how I voted.
5. To remember that the president and the board as a whole are the only official spokespersons for the institution.
6. To support the president as chief administrative officer of the institution.
7. To direct to the president all complaints or criticisms brought to me about either the institution or the president.
8. To resist the temptation to use my position for personal gain.
9. To place as high a priority on the educational programs of the institution as I do on the business of college operation.
10. To function as a policy-maker and not an administrator of the institution.
11. To understand and abide by the Open Meetings Law by encouraging attendance of interested citizens, organizations, and the media when current institution operations and future plans are being discussed.
12. To solicit support of county commissioners, legislators and private companies in obtaining funds for the operation and maintenance of the institution.
13. To support the state and national community college trustees associations.
14. To strive constantly toward ideal conditions for the most effective board service.

APPENDIX B

LEGAL RESPONSIBILITY OF THE LOCAL BOARD

Chapter 115D of the General Statutes of North Carolina contains the laws governing the community college system. Chapters 115, 115B and 116 also contain laws that affect the system. **Community College Laws of North Carolina** as well as **North Carolina's Open Meetings Law** (Article 33C of Chapter 143 of the General Statutes of North Carolina) may be obtained from the Department of Community Colleges.

In November of 1986, Edwin M. Speas, Jr., Special Deputy Attorney General of North Carolina, made the following remarks to the Association of Community College Trustees at its regional meetings. They contain valuable information concerning legal responsibilities of boards of trustees.

The community college system in North Carolina has been reasonably free from litigation. This circumstance is probably explained by a number of factors, but it surely suggests that community college trustees are generally well-versed in their legal duties and responsibilities. It also suggests that the leaders of the community college system have been wise and prudent in carrying out their duties. Perhaps a brief, broad review of the legal duties and responsibilities of trustees will help maintain this enviable record.

It is, of course, impossible to review all the duties and responsibilities of trustees at less than textbook-length, and for every basic legal principle bear in mind that there are exceptions. It is always important, however, to review from time to time the basic sources of trustees' legal responsibilities, the limitations upon those responsibilities, and some basic principles that may assist trustees in meeting their responsibilities.

The legal responsibilities of trustees can be categorized in several ways. For purposes of emphasizing the source and scope of those responsibilities, the following categorization is useful:

RESPONSIBILITY TO THE GENERAL ASSEMBLY

Trustees of community colleges have a responsibility to the citizens of the State to comply with their directions expressed through their representatives in the General Assembly in the form of legislative enactments. As public officers they are bound to abide by the provisions of the laws enacted by the General Assembly. Indeed, the only source of powers

of trustees of community colleges is legislative enactments. Community colleges and their boards of trustees are creatures of the legislature, and have only those powers expressly granted by the General Assembly or those powers necessary to carry out the powers expressly granted. In this regard, community colleges are different than their sisters in North Carolina's educational system. The State Board of Education and the University of North Carolina are creatures of our Constitution and derive their powers both from the Constitution and the legislature.

RESPONSIBILITY TO THE STATE BOARD OF COMMUNITY COLLEGES

Trustees of community colleges have a responsibility to abide by regulations adopted by the State Board of Community Colleges. The State Board has been granted overall responsibility for the supervision of the community college system, much like the State Board of Education has been granted overall responsibility for the supervision of the public school system and the Board of Governors of the University of North Carolina has been granted responsibility for supervision of the State's system of higher education. This authority of the State Board of Community Colleges includes the power to issue regulations binding upon community colleges, just as the State Board of Education and the University of North Carolina have that power with respect to institutions within their systems.

The State Board of Community Colleges' power to adopt rules binding upon institutions within the system is almost as broad as that of the State Board of Education and the Board of Governors. The State Board of Community Colleges has been granted the discretionary power to adopt any rule it determines necessary for the operation and administration of the community college system, and institutions within the system are bound to abide by those rules that the State Board in its discretion adopts.

RESPONSIBILITY TO FACULTY AND STAFF

Trustees of community colleges have a responsibility to the faculty and staff of their institutions not to discriminate against them on the basis of race, color, sex, national origin, age, religion, and handicap in connection with their employment. In other words, trustees of community colleges, like all other public officials, have a responsibility to refrain from making employment decisions based upon factors, such as race, that bear no relationship to a person's ability to function effectively as a public employee. There

are many sources of this responsibility, including the Equal Protection and Due Process Clauses of our State Constitution and the United States Constitution and numerous civil rights laws enacted by Congress. Trustees also have a legal responsibility to faculty and staff to provide them with due process (that is, notice and a hearing) before depriving them of a property right. This responsibility arises under the Due Process Clause of the United States and North Carolina Constitutions. Faculty and staff have a property right in completing the period of employment specified in their contracts, and are entitled to due process if their employment is terminated before their contracts expire. But faculty and staff do not have a property right in the renewal of their contract at the end of the period specified in their contracts, and thus they have no right to due process in that circumstance.

RESPONSIBILITY TO STUDENTS

Trustees of community colleges have a legal responsibility to provide students with an opportunity for an education without regard for race, sex, national origin, age, religion and handicap. In other words, just as trustees have a responsibility to refrain from making employment decisions based upon factors not related to work performance, they have a responsibility to refrain from basing decisions regarding students on factors not related to the learning process. This responsibility arises under our State Constitution and the Constitution of the United States. Trustees also have responsibilities to students under the Due Process Clauses of the North Carolina and United States Constitutions. These responsibilities, however, only arise in regard to the dismissal of students from school because of misconduct. Except perhaps in unusual circumstances, students do not have any due process rights in connection with academic decisions, including decisions to dismiss students for academic reasons.

GENERAL RESPONSIBILITY

Finally, trustees have a general duty, as implied by their oath of office, to perform the duties of their office fairly, conscientiously, without fear or favor. This responsibility is to some extent codified in the State laws prohibiting public officers from making contracts for their own benefit.

These are only some of the responsibilities of trustees. There are many others included under each of these five categories. Essentially trustees' legal responsibilities are determined by the context in which they serve and the rights of those persons who they were appointed to super-

wise and serve. Trustees of community colleges are part of a system. They perform their responsibilities within the system subject to the direction of the General Assembly and State Board of Community Colleges. Further, they must perform their responsibilities consistent with the rights of faculty, staff and students.

How many trustees meet all these responsibilities? While their responsibilities are many and complex, there are some relatively simple rules that may be applied by trustees in performing their duties which should help them meet their responsibilities:

1. Become generally familiar with the laws enacted by the General Assembly and regulations enacted by the State Board of Community Colleges. Trustees need not necessarily be familiar with these laws and regulations in detail, but they ought to be familiar with the areas in which the General Assembly and State Board have acted so that they may make their decisions accordingly.
2. Recognize the types of decisions trustees are called upon to make that may lead to litigation. The most likely source of litigation is employment decisions. By one estimate, any given employment decision is potentially the source of twenty legal claims. Other likely sources of litigation are decisions to discipline students, to meet in nonpublic sessions, to withhold records and to sell or acquire property.
3. Recognize the signs of potential litigation. Repeated complaints or concerns from administrators, employees, students or the public may suggest that litigation is forthcoming.
4. Check decisions to make sure they have a sound basis in educational policy. If a decision has a sound basis in educational policy, that decision can almost always be defended successfully in court. As a corollary, check decisions to make sure that factors extraneous to sound policy have not influenced those decisions.
5. Follow established procedures. Sometimes there is a tendency to think that procedures serve no useful purpose. (As one legal scholar observed, "In heaven there will be no law; in hell there will be nothing but law, and due process will be carefully observed"). But remember that carefully developed procedures help assure correct decisions uninfluenced by extraneous matters.

6. Be consistent in making decisions. If an educational policy is applied in one situation to reach one decision, that policy ought to be applied in similar situations to reach the same decision, absent some reasonable distinction between the situations.
7. Consult an attorney before making a decision that might lead to litigation. Obtaining legal advice before making a decision can often save money and substantial time for trustees and administrators.

APPENDIX C

EVALUATIVE CRITERIA FOR TRUSTEES AND TRUSTEE BOARDS OF COMMUNITY COLLEGES AND TECHNICAL COLLEGES/INSTITUTES

(Designed by John H. Blackmon and published in the 1970 and 1976 editions of *Trustee Responsibilities for Community Colleges & Technical Institutes of the North Carolina Community College System* by the Department of Community Colleges. It has been edited by the author of this publication.)

Rate yourself or your board by checking the appropriate column. Six of the items should be rated on an individual basis; whereas, the remainder of the items should be rated for the board as a whole.

CRITERIA	RESPONSE			
	Above Average	Average	Below Average	Not Applicable
Trustees and the Community College System				
1. Trustees are familiar with and committed to the role of the Community College System and the role of the institution.	☐	☐	☐	☐
2. The institution's role and purposes are consistent with the role and purposes of the Community College System.	☐	☐	☐	☐
Trustees and the Law				
3. Trustees are familiar with duties and responsibilities of trustees as set forth in G.S. 115D.	☐	☐	☐	☐
4. The board is organized in accordance with G.S. 115D.	☐	☐	☐	☐
5. The board functions within the framework and performs responsibilities as assigned under G.S. 115D.	☐	☐	☐	☐
6. The board is familiar with and complies with all laws, whether state or federal, affecting community colleges.	☐	☐	☐	☐

Policy Enactment by Trustees

	Above Average	Average	Below Average	Not Applicable
7. The board functions within the framework of Administrative Code (APA) Rules of the State Board of Community Colleges and administrative procedures of the Department of Community Colleges.	☐	☐	☐	☐
8. The board is primarily concerned with enacting policy and seeing that policy is executed.	☐	☐	☐	☐
9. Execution of policies is left to administrators of the institution.	☐	☐	☐	☐
10. Policies enacted by the board are comprehensive and are consistent with the "open-door policy."	☐	☐	☐	☐
11. There is general understanding that policy proposals from any source will be welcomed, heard, and considered by the board.	☐	☐	☐	☐
12. Special provision is made for organization of professional and support personnel of the institution for proper participation in the policy-making process.	☐	☐	☐	☐
13. Institutional policies and bylaws are provided in an operational manual.	☐	☐	☐	☐
14. There is wide dissemination of policy information to all concerned.	☐	☐	☐	☐
15. The board supports the administration in the execution of policies.	☐	☐	☐	☐

Board Meetings

16. Only one person, the president, is responsible to the board and he/she is present at all board meetings.	☐	☐	☐	☐
17. The president makes an annual report to the board, giving a clear overview of the institution.	☐	☐	☐	☐
18. An agenda is prepared in advance of each meeting and is mailed to every member.	☐	☐	☐	☐
19. The board elects a chairman, vice chairman, and secretary.	☐	☐	☐	☐
20. The board meets at least every three months and more often, if necessary.	☐	☐	☐	☐
21. There is a regularly scheduled meeting date, time, and place for board meetings.	☐	☐	☐	☐
22. The bylaws specify the number to be present for a quorum.	☐	☐	☐	☐

	Above Average	Average	Below Average	Not Applicable
23. Manner of appointment and functions of the committees of the board are specified in the bylaws.	☐	☐	☐	☐
24. The committee structure of the board is effective.	☐	☐	☐	☐
25. A trustee does not speak for the board except when authorized to do so.	☐	☐	☐	☐

Trustees and the Institution — Standards and Accreditation

26. The board understands and supports standards and evaluative criteria by which the institution is measured.	☐	☐	☐	☐
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The President

27. In selecting a president, provision is made for staff and faculty participation.	☐	☐	☐	☐
28. The president is not bypassed by the board in its dealing with the institution.	☐	☐	☐	☐
29. Trustees are provided with State statutes, State Board of Community Colleges' policies, its own board's policies, job descriptions, and institutional publications.	☐	☐	☐	☐
30. The president conducts local workshops for the trustees at sessions other than at regular board meetings.	☐	☐	☐	☐

Administrative Staff and Faculty

31. The board enacts local policies that will encourage professional growth of the administrative staff and faculty.	☐	☐	☐	☐
32. The board leaves the nomination of the administrative staff and faculty to the president.	☐	☐	☐	☐
33. Trustees do not solicit or encourage faculty complaints.	☐	☐	☐	☐
34. Trustees do not become advocates of someone seeking a job at the institution.	☐	☐	☐	☐
35. The board, through proper channels, seeks advice from and maintains close communication with professional educators of the institution.	☐	☐	☐	☐

36. The board provides local salary supplements where possible and maintains close communication with professional educators of the institution.
37. Trustees do not conduct personal investigations of staff, faculty, or student problems.

Above Average	Average	Below Average	Not Applicable
☐	☐	☐	☐
☐	☐	☐	☐

The Students

38. The board adopts student personnel policies that will provide for unity of personnel and programs, clear admission requirements, sound record keeping, and a strong guidance and counseling program.
39. The board, through proper channels, maintains close communication with students.
40. Insofar as possible, the board tries to foresee problems that might arise from improper student conduct and takes necessary action to prevent such problems.

☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐

Educational Programs

41. The board sees that the institution has an open-door policy and that it offers educational programs which meet the needs of the people the institution proposes to serve.
42. When necessary to meet educational needs, the board contracts with other public or private educational institutions of the State.

☐	☐	☐	☐
☐	☐	☐	☐

Financial Management

43. The board sees that local funds are sufficient for institutional support and that funds are managed effectively.
44. The board examines, makes such changes as necessary, and gives final approval to the institution's budget.
45. The board sees that the budget is followed and that commitments are not made that cannot be met.

☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐

46. The board sees that funds are disbursed in accordance with State law and that the State Board of Community Colleges' policies and financial and accounting procedures are followed.
47. The board requires that all institutional employees who handle funds be adequately bonded.
48. The board requires that adequate liability, fire and casualty, and other necessary insurance be carried by the institution.
49. When an institution is ready to add the college transfer program, the board takes the lead in making such a move.
50. When necessary, the board requests that additional local taxes be levied in support of the institution.

Above Average	Average	Below Average	Not Applicable
☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐

Land-Buildings-Equipment- Library Books

51. Long-range plans that include sufficient land and adequate facilities are prepared by the board.
52. The board sees that the institution has adequate and appropriate library books and equipment.

☐	☐	☐	☐
☐	☐	☐	☐

In Time of Campus Crisis

53. In an effort to prevent disruption of orderly academic and administrative processes, the board utilizes all available resources, including statutory regulations, legal opinions, information from other campuses, and the considered judgment of administration, faculty, and students in the preparation of policy statements.
54. In dealing with a campus crisis, the board does not bypass educational leaders.
55. When necessary, the board sets up whatever "courts of appeal" may be desirable to hear complaints from any segment of the campus population.
56. The board is informed and knowledgeable about students' rights.

☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐

APPENDIX D

GLOSSARY OF TERMS

ACADEMIC QUARTER: An 11-week period during which credit classes are offered.

ACADEMIC YEAR: The period of the regular session, generally extending from September to early June, divided into three quarters.

ACCREDITATION: A formal means of recognizing an institution for maintaining standards that qualify the graduates for admission to higher institutions or for professional practice. Accrediting agencies are responsible for establishing the standards and evaluating the schools' compliance with them (e.g. Southern Association of Colleges & Schools, American Dental Association, Engineering).

ACCOUNTABILITY: The acceptance of personal responsibility for the achievement of predetermined measurable objectives.

ADULT BASIC EDUCATION (ABE): A fundamental education program designed for adults 16 years old or older who have not completed the eighth-grade or who function at less than the eighth-grade level.

ADULT EDUCATION: Programs offered by a community college or technical institute that provides opportunities for adults and out-of-school youth to further their education.

AFFIRMATIVE ACTION: The action which federal law now requires of institutions to provide better and more equal job access for women and minorities.

APPROPRIATION: The act by which the legislature provides the state dollars for the operation of an institution. Funds are appropriated to the State Board of Community Colleges to be distributed to the institutions.

ASSOCIATION OF COMMUNITY COLLEGE TRUSTEES (ACCT): A nonprofit international association with headquarters in Washington, D.C., that seeks to unify, promote, encourage, and develop two-year institutions through the expertise and insight of trustee leadership.

ASSOCIATION OF GOVERNING BOARDS OF UNIVERSITIES AND COLLEGES (AGB): A nonprofit educational organization of governing, coordinating, and advisory boards of post-secondary education. AGB exists to help its members fulfill their roles and meet their responsibilities. Headquarters are in Washington, D.C.

BASE BUDGET: Appropriations made by the legislature to fund the current level of operation.

BIENNIUM: A two-year period for which an agency builds a budget.

CAPITAL OUTLAY: Capital outlay expenditures are those that result

in the acquisition of fixed assets or additions to fixed assets (i.e. expenditures for land, buildings, or equipment).

CATEGORICAL FUNDS (Restricted): Funds from a federal, state, local, or private source that are restricted to expenditures in a particular category or program.

CERTIFICATION: A voluntary form of recognition for knowledge and skills in a particular profession.

CLOCK HOUR: One hour of instruction given one student. Class periods from 50-60 minutes may be counted as one clock hour depending on the type of instruction delivered.

COMPENSATORY EDUCATION: A special state-funded educational program for mentally retarded adults (over 17 years of age).

COMPETENCY-BASED INSTRUCTION: Instruction based on measurable student performance outcomes consistent with the skills and knowledge needed by an entry-level employee in a particular field.

COOPERATIVE SKILLS TRAINING: A training program specifically designed to provide customized training for existing industry. This training can be provided on campus or at the industrial site.

CREDIT HOUR: An instructional unit used for recognition of the amount of credit a student earns for a given course. Example: Quarter Credit Hour - A student who spends one hour per week in a class for 11 weeks earns one quarter hour credit.

CURRENT EXPENSE: Funds used for the general operation of the institution to include salaries, benefits, and other instructional costs.

DEVELOPMENTAL EDUCATION: A program providing specialized credit courses for students who need to improve their basic skills in order to perform at the level required for admission to degree and diploma programs. Usually these courses are in reading, writing, and mathematics.

EXPANSION BUDGET: Additional funds from the legislature to increase the quantity or quality of services rendered.

FISCAL YEAR: The 12-month period upon which the institution's budget is based, July 1 - June 30.

FULL-TIME EQUIVALENT (FTE): One full-time equivalent (FTE) student represents 16 student membership hours per week for 11 weeks or 176 student membership hours for each quarter enrolled.

Average Annual FTE: The average of the summer, fall, winter, and spring FTE or the average FTE developed over an entire school year.

Four-Quarter Average FTE: The average of the FTE developed in any consecutive four-quarter period.

Budget Full-Time Equivalent (B/FTE): Used to prepare the operating budget and to provide for an equitable distribution of the operating funds allocated by the State Board to the institutions.

Equipment Full-Time Equivalent (E/FTE): Used to prepare the equipment budget and to provide for an equitable distribution of the equip-

ment funds allocated by the State Board to the institutions.

Library Full-Time Equivalent (L/FTE): Used to prepare the library budget to provide for an equitable distribution of library funds allocated for the purchase of library books and audiovisual materials.

Credit Hour Full-Time Equivalent (H/FTE): Used in furnishing data to the North Carolina Commission on Higher Education Facilities and the University of North Carolina.

Construction Full-Time Equivalent (C/FTE): Used to determine priorities and institutional eligibility for federal and state construction funds for the institutions.

FULL-TIME STUDENTS: A student is considered full time if he/she carries 12 or more quarter hours of classes.

GENERAL EDUCATION DEVELOPMENT (GED): A high school equivalency program enabling adults to take the General Education Development Tests to determine if they are at the 12th-grade completion level of English, social studies, science, reading, and math. Individuals achieving the required scores on the GED are awarded the High School Equivalency Diploma. The program is open to individuals 18 years or older.

HUMAN RESOURCE DEVELOPMENT (HRD): A program for chronically unemployed adults with prevocational training and counseling.

JOB TRAINING PARTNERSHIP ACT (JTPA): A federal program designed to provide job training and employment opportunities for economically disadvantaged, unemployed, or underemployed persons.

NON-CREDIT (EXTENSION) COURSES: Courses provided through the division of continuing education for professional training or upgrading or general interest.

OCCUPATIONAL EDUCATION: Any type of instruction or training (credit or non-credit) that prepares one to enter an occupation.

OTHER COSTS: "Other Costs" is a term describing current instructional and operating instructional support costs excluding personnel and the associated fringe benefits. The term is used for supplies, travel, postage, etc.

PELL GRANTS: A form of federal financial aid for students.

TECHNICAL PROGRAMS (ASSOCIATE DEGREE PROGRAMS):

A term generally used to describe associate degree programs in the N.C. Community College system (sometimes referred to as two-year programs).

UNDUPLICATED HEADCOUNT: The total number of students (both full time and part time) enrolled in all courses during a year. Each student is counted only once during the year regardless of the number of classes he takes or the number of quarters for which he registers.

VOCATIONAL PROGRAMS (DIPLOMA PROGRAMS): A term generally used to describe diploma programs in the N. C. Community College system (sometimes referred to as one-year programs).

APPENDIX E

ACRONYMS

A.A.	Associate in Arts
AACJC	American Association of Community and Junior Colleges
A.A.S.	Associate in Applied Science
AASA	American Association of School Administrators
ABE	Adult Basic Education
ABLE	Adult Basic Literacy Education
ACCT	Association of Community College Trustees
AGB	Association of Governing Boards
A.P.A.	Administrative Procedure Act
A.S.	Associate in Science
AVA	American Vocational Association
BEOG	Basic Educational Opportunity Grants
CC	Community College
EEOC	Equal Employment Opportunity Commission
EPA	Environmental Protection Agency
ERIC	Educational Resources Information Center
ETS	Educational Testing Service
ETV	Educational Television
FIPSE	Fund for the Improvement of Postsecondary Education
FTE	Full-time Equivalent
GED	General Educational Development Test
HEFA	Higher Education Facilities Act
HEGIS	Higher Education General Information Survey
HEW	Health, Education and Welfare
LPN	Licensed Practical Nurse
LRC	Learning Resources Center
OCR	Office of Civil Rights
OJT	On-the-Job Training
OMB	Office of Management and Budget
PLATO	Programmed Logic for Automatic Teaching Operation
SAT	Scholastic Aptitude Test
SREB	Southern Regional Education Board
TC	Technical College
TI	Technical Institute

APPENDIX F

RECOMMENDED READING FOR TRUSTEES

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- ACCT Trustee Quarterly*. 4 issues per year. Association of Community College Trustees, 6928-A Little River Turnpike, Annandale, Virginia 22003.
- AGB Reports*. 6 issues per year. Association of Governing Boards of Universities and Colleges, One Dupont Circle, Suite 720, Washington, D.C. 20036.
- Chronicle of Higher Education (The)*. weekly. 1717 Massachusetts Avenue, N.W., Washington, D.C. 20036.
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NORTH CAROLINA ASSOCIATION OF COMMUNITY COLLEGE TRUSTEES

Presidents of the Association

1967

W. Stanley Moore, Temporary President
Western Piedmont Community College

1967

James Pierce, Organizational Chairman
Technical Institute of Alamance

1967-68

Paul Thompson
Fayetteville Technical Institute

1968-70

Robert Lee Humber
Pitt Technical Institute

1970-72

H. Clifton Blue
Sandhills Community College

1972-74

J. C. Robbins
Sandhills Community College

1974-76

W. E. (Billy) Mills
Coastal Carolina Community College

1976-78

Edward Stowe
Gaston College

1978-80

Wallace W. Gee
Technical College of Alamance

1980-82

George Morgan
Central Piedmont Community College

1982-84

C. Louis Shields
Coastal Carolina Community College

1984-86

Robert C. Carpenter
Southwestern Technical College

1986-88

Kathleen S. Orringer
Craven Community College

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